



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4444

by Rep. Charles E. Meier

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-707	from Ch. 95 1/2, par. 3-707
625 ILCS 5/6-118	
625 ILCS 5/6-205	
625 ILCS 5/7-606	from Ch. 95 1/2, par. 7-606

Amends the Illinois Vehicle Code. Provides that uninsured operation of a motor vehicle resulting in bodily harm or death to another person is a Class 4 felony, with a minimum fine of \$10,000 and a driver's license revocation for one year. Provides that a second violation of operation of a motor vehicle resulting in bodily harm or death to another person is a Class 3 felony, with a minimum fine of \$20,000 and a lifetime driving privilege revocation. Provides that if a person convicted of uninsured operation of a motor vehicle resulting in bodily harm or death to another person has previously been convicted of one or more violations of driving without liability insurance, a fine of \$3,000 (rather than \$2,500) must be imposed. Raises the penalty and reinstatement fee for a violation of operating a motor vehicle without liability insurance. Makes conforming changes.

LRB099 15809 RJF 40118 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-707, 6-118, 6-205, and 7-606 as follows:

6 (625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

7 Sec. 3-707. Operation of uninsured motor vehicle - penalty.

8 (a) No person shall operate a motor vehicle unless the
9 motor vehicle is covered by a liability insurance policy in
10 accordance with Section 7-601 of this Code.

11 (a-5) A person commits the offense of operation of
12 uninsured motor vehicle causing bodily harm or death when the
13 person:

14 (1) operates a motor vehicle in violation of Section
15 7-601 of this Code; and

16 (2) causes, as a proximate result of the person's
17 operation of the motor vehicle, bodily harm or death to
18 another person.

19 (a-6) Uninsured operation of a motor vehicle under
20 subsection (a-5) is a Class 4 felony with a minimum fine of
21 \$10,000 ~~A misdemeanor~~. If a person is convicted of the offense
22 of operation of a motor vehicle for a second or subsequent
23 violation ~~under subsection (a-5) has previously been convicted~~

1 ~~of 2 or more violations~~ of subsection (a-5) of this Section, he
2 or she is guilty of a Class 3 felony, and shall be fined a
3 minimum of \$20,000. If a person convicted of the offense of
4 operation of a motor vehicle under subsection (a-5) has
5 previously been convicted of one or more violations ~~or~~ of
6 Section 7-601 of this Code, a fine of \$3,000 ~~\$2,500~~, in
7 addition to any sentence of incarceration, must be imposed.

8 (b) Any person who fails to comply with a request by a law
9 enforcement officer for display of evidence of insurance, as
10 required under Section 7-602 of this Code, shall be deemed to
11 be operating an uninsured motor vehicle.

12 (c) Except as provided in subsections (a-6) and (c-5), any
13 operator of a motor vehicle subject to registration under this
14 Code who is convicted of violating this Section is guilty of a
15 business offense and shall be required to pay a fine in excess
16 of \$500, but not more than \$1,000, except a person convicted of
17 a second ~~third~~ or subsequent violation of this Section shall be
18 required to pay a fine of \$1,000. However, no person charged
19 with violating this Section shall be convicted if such person
20 produces in court satisfactory evidence that at the time of the
21 arrest the motor vehicle was covered by a liability insurance
22 policy in accordance with Section 7-601 of this Code. The chief
23 judge of each circuit may designate an officer of the court to
24 review the documentation demonstrating that at the time of
25 arrest the motor vehicle was covered by a liability insurance
26 policy in accordance with Section 7-601 of this Code.

1 (c-1) Except for subsection (a-5), a ~~A~~ person convicted of
2 violating this Section shall also have his or her driver's
3 license, permit, or privileges suspended for 3 months. After
4 the expiration of the 3 months, the person's driver's license,
5 permit, or privileges shall not be reinstated until he or she
6 has paid a reinstatement fee of \$150 ~~\$100~~. A person convicted
7 of violating subsection (a-5) for a first violation shall have
8 his or her driver's license, permit, or privileges revoked for
9 one year. For a second or subsequent violation of subsection
10 (a-5), he or she shall be subject to lifetime revocation of
11 driving privileges. If a person violates this Section while his
12 or her driver's license, permit, or privileges are suspended or
13 revoked under this subsection (c-1), his or her driver's
14 license, permit, or privileges shall be suspended or revoked
15 for an additional 12 ~~6~~ months and until he or she pays the
16 reinstatement fee.

17 (c-5) A person who (i) has not previously been convicted of
18 or received a disposition of court supervision for violating
19 this Section and (ii) produces at his or her court appearance
20 satisfactory evidence that the motor vehicle is covered, as of
21 the date of the court appearance, by a liability insurance
22 policy in accordance with Section 7-601 of this Code shall, for
23 a violation of this Section, other than a violation of
24 subsection (a-5), pay a fine of \$150 ~~\$100~~ and receive a
25 disposition of court supervision. The person must, on the date
26 that the period of court supervision is scheduled to terminate,

1 produce satisfactory evidence that the vehicle was covered by
2 the required liability insurance policy during the entire
3 period of court supervision.

4 An officer of the court designated under subsection (c) may
5 also review liability insurance documentation under this
6 subsection (c-5) to determine if the motor vehicle is, as of
7 the date of the court appearance, covered by a liability
8 insurance policy in accordance with Section 7-601 of this Code.
9 The officer of the court shall also determine, on the date the
10 period of court supervision is scheduled to terminate, whether
11 the vehicle was covered by the required policy during the
12 entire period of court supervision.

13 (d) A person convicted a third or subsequent time of
14 violating this Section or a similar provision of a local
15 ordinance must give proof to the Secretary of State of the
16 person's financial responsibility as defined in Section 7-315.
17 The person must maintain the proof in a manner satisfactory to
18 the Secretary for a minimum period of 3 years after the date
19 the proof is first filed. The Secretary must suspend the
20 driver's license of any person determined by the Secretary not
21 to have provided adequate proof of financial responsibility as
22 required by this subsection.

23 (Source: P.A. 96-143, eff. 1-1-10; 97-407, eff. 1-1-12.)

24 (625 ILCS 5/6-118)

25 Sec. 6-118. Fees.

1 (a) The fee for licenses and permits under this Article is
2 as follows:

3 Original driver's license \$30

4 Original or renewal driver's license
5 issued to 18, 19 and 20 year olds 5

6 All driver's licenses for persons
7 age 69 through age 80 5

8 All driver's licenses for persons
9 age 81 through age 86 2

10 All driver's licenses for persons
11 age 87 or older 0

12 Renewal driver's license (except for
13 applicants ages 18, 19 and 20 or
14 age 69 and older) 30

15 Original instruction permit issued to
16 persons (except those age 69 and older)
17 who do not hold or have not previously
18 held an Illinois instruction permit or
19 driver's license 20

20 Instruction permit issued to any person
21 holding an Illinois driver's license
22 who wishes a change in classifications,
23 other than at the time of renewal 5

24 Any instruction permit issued to a person
25 age 69 and older 5

26 Instruction permit issued to any person,

1 under age 69, not currently holding a
2 valid Illinois driver's license or
3 instruction permit but who has
4 previously been issued either document
5 in Illinois..... 10
6 Restricted driving permit 8
7 Monitoring device driving permit 8
8 Duplicate or corrected driver's license
9 or permit 5
10 Duplicate or corrected restricted
11 driving permit 5
12 Duplicate or corrected monitoring
13 device driving permit 5
14 Duplicate driver's license or permit issued to
15 an active-duty member of the
16 United States Armed Forces,
17 the member's spouse, or
18 the dependent children living
19 with the member 0
20 Original or renewal M or L endorsement..... 5

21 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

22 The fees for commercial driver licenses and permits
23 under Article V shall be as follows:

24 Commercial driver's license:

25 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund

26 (Commercial Driver's License Information

1 System/American Association of Motor Vehicle
2 Administrators network/National Motor Vehicle
3 Title Information Service Trust Fund);
4 \$20 for the Motor Carrier Safety Inspection Fund;
5 \$10 for the driver's license;
6 and \$24 for the CDL: \$60
7 Renewal commercial driver's license:
8 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
9 \$20 for the Motor Carrier Safety Inspection Fund;
10 \$10 for the driver's license; and
11 \$24 for the CDL: \$60
12 Commercial learner's permit
13 issued to any person holding a valid
14 Illinois driver's license for the
15 purpose of changing to a
16 CDL classification: \$6 for the
17 CDLIS/AAMVAnet/NMVTIS Trust Fund;
18 \$20 for the Motor Carrier
19 Safety Inspection Fund; and
20 \$24 for the CDL classification \$50
21 Commercial learner's permit
22 issued to any person holding a valid
23 Illinois CDL for the purpose of
24 making a change in a classification,
25 endorsement or restriction \$5
26 CDL duplicate or corrected license \$5

1 In order to ensure the proper implementation of the Uniform
 2 Commercial Driver License Act, Article V of this Chapter, the
 3 Secretary of State is empowered to pro-rate the \$24 fee for the
 4 commercial driver's license proportionate to the expiration
 5 date of the applicant's Illinois driver's license.

6 The fee for any duplicate license or permit shall be waived
 7 for any person who presents the Secretary of State's office
 8 with a police report showing that his license or permit was
 9 stolen.

10 The fee for any duplicate license or permit shall be waived
 11 for any person age 60 or older whose driver's license or permit
 12 has been lost or stolen.

13 No additional fee shall be charged for a driver's license,
 14 or for a commercial driver's license, when issued to the holder
 15 of an instruction permit for the same classification or type of
 16 license who becomes eligible for such license.

17 (b) Any person whose license or privilege to operate a
 18 motor vehicle in this State has been suspended or revoked under
 19 Section 3-707, any provision of Chapter 6, Chapter 11, or
 20 Section 7-205, 7-303, or 7-702 of the Family Financial
 21 Responsibility Law of this Code, shall in addition to any other
 22 fees required by this Code, pay a reinstatement fee as follows:

23	Suspension under Section 3-707	<u>\$150</u> \$100
24	Suspension under Section 11-1431	\$100
25	Summary suspension under Section 11-501.1	\$250
26	Suspension under Section 11-501.9	\$250

1	Summary revocation under Section 11-501.1	\$500
2	Other suspension	\$70
3	Revocation	\$500

4 However, any person whose license or privilege to operate a
5 motor vehicle in this State has been suspended or revoked for a
6 second or subsequent time for a violation of Section 11-501,
7 11-501.1, or 11-501.9 of this Code or a similar provision of a
8 local ordinance or a similar out-of-state offense or Section
9 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
10 and each suspension or revocation was for a violation of
11 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
12 provision of a local ordinance or a similar out-of-state
13 offense or Section 9-3 of the Criminal Code of 1961 or the
14 Criminal Code of 2012 shall pay, in addition to any other fees
15 required by this Code, a reinstatement fee as follows:

16	Summary suspension under Section 11-501.1	\$500
17	Suspension under Section 11-501.9	\$500
18	Summary revocation under Section 11-501.1	\$500
19	Revocation	\$500

20 (c) All fees collected under the provisions of this Chapter
21 6 shall be disbursed under subsection (g) of Section 2-119 of
22 this Code, except as follows:

23 1. The following amounts shall be paid into the Driver
24 Education Fund:

25 (A) \$16 of the \$20 fee for an original driver's
26 instruction permit;

1 (B) \$5 of the \$30 fee for an original driver's
2 license;

3 (C) \$5 of the \$30 fee for a 4 year renewal driver's
4 license;

5 (D) \$4 of the \$8 fee for a restricted driving
6 permit; and

7 (E) \$4 of the \$8 fee for a monitoring device
8 driving permit.

9 2. \$30 of the \$250 fee for reinstatement of a license
10 summarily suspended under Section 11-501.1 or suspended
11 under Section 11-501.9 shall be deposited into the Drunk
12 and Drugged Driving Prevention Fund. However, for a person
13 whose license or privilege to operate a motor vehicle in
14 this State has been suspended or revoked for a second or
15 subsequent time for a violation of Section 11-501,
16 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
17 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of
18 the \$500 fee for reinstatement of a license summarily
19 suspended under Section 11-501.1 or suspended under
20 Section 11-501.9, and \$190 of the \$500 fee for
21 reinstatement of a revoked license shall be deposited into
22 the Drunk and Drugged Driving Prevention Fund. \$190 of the
23 \$500 fee for reinstatement of a license summarily revoked
24 pursuant to Section 11-501.1 shall be deposited into the
25 Drunk and Drugged Driving Prevention Fund.

26 3. \$6 of the original or renewal fee for a commercial

1 driver's license and \$6 of the commercial learner's permit
2 fee when the permit is issued to any person holding a valid
3 Illinois driver's license, shall be paid into the
4 CDLIS/AAMVAnet/NMVTIS Trust Fund.

5 4. \$30 of the \$70 fee for reinstatement of a license
6 suspended under the Family Financial Responsibility Law
7 shall be paid into the Family Responsibility Fund.

8 5. The \$5 fee for each original or renewal M or L
9 endorsement shall be deposited into the Cycle Rider Safety
10 Training Fund.

11 6. \$20 of any original or renewal fee for a commercial
12 driver's license or commercial learner's permit shall be
13 paid into the Motor Carrier Safety Inspection Fund.

14 7. The following amounts shall be paid into the General
15 Revenue Fund:

16 (A) \$190 of the \$250 reinstatement fee for a
17 summary suspension under Section 11-501.1 or a
18 suspension under Section 11-501.9;

19 (B) \$40 of the \$70 reinstatement fee for any other
20 suspension provided in subsection (b) of this Section;
21 and

22 (C) \$440 of the \$500 reinstatement fee for a first
23 offense revocation and \$310 of the \$500 reinstatement
24 fee for a second or subsequent revocation.

25 8. Fees collected under paragraph (4) of subsection (d)
26 and subsection (h) of Section 6-205 of this Code;

1 subparagraph (C) of paragraph 3 of subsection (c) of
2 Section 6-206 of this Code; and paragraph (4) of subsection
3 (a) of Section 6-206.1 of this Code, shall be paid into the
4 funds set forth in those Sections.

5 (d) All of the proceeds of the additional fees imposed by
6 this amendatory Act of the 96th General Assembly shall be
7 deposited into the Capital Projects Fund.

8 (e) The additional fees imposed by this amendatory Act of
9 the 96th General Assembly shall become effective 90 days after
10 becoming law.

11 (f) As used in this Section, "active-duty member of the
12 United States Armed Forces" means a member of the Armed
13 Services or Reserve Forces of the United States or a member of
14 the Illinois National Guard who is called to active duty
15 pursuant to an executive order of the President of the United
16 States, an act of the Congress of the United States, or an
17 order of the Governor.

18 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section
19 10 of P.A. 99-414 for the effective date of changes made by
20 P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;
21 98-1172, eff. 1-12-15; 99-127, eff. 1-1-16; 99-438, eff.
22 1-1-16; revised 10-19-15.)

23 (625 ILCS 5/6-205)

24 Sec. 6-205. Mandatory revocation of license or permit;
25 Hardship cases.

1 (a) Except as provided in this Section, the Secretary of
2 State shall immediately revoke the license, permit, or driving
3 privileges of any driver upon receiving a report of the
4 driver's conviction of any of the following offenses:

5 1. Reckless homicide resulting from the operation of a
6 motor vehicle;

7 2. Violation of Section 11-501 of this Code or a
8 similar provision of a local ordinance relating to the
9 offense of operating or being in physical control of a
10 vehicle while under the influence of alcohol, other drug or
11 drugs, intoxicating compound or compounds, or any
12 combination thereof;

13 3. Any felony under the laws of any State or the
14 federal government in the commission of which a motor
15 vehicle was used;

16 4. Violation of Section 11-401 of this Code relating to
17 the offense of leaving the scene of a traffic accident
18 involving death or personal injury;

19 5. Perjury or the making of a false affidavit or
20 statement under oath to the Secretary of State under this
21 Code or under any other law relating to the ownership or
22 operation of motor vehicles;

23 6. Conviction upon 3 charges of violation of Section
24 11-503 of this Code relating to the offense of reckless
25 driving committed within a period of 12 months;

26 7. Conviction of any offense defined in Section 4-102

1 of this Code;

2 8. Violation of Section 11-504 of this Code relating to
3 the offense of drag racing;

4 9. Violation of Chapters 8 and 9 of this Code;

5 10. Violation of Section 12-5 of the Criminal Code of
6 1961 or the Criminal Code of 2012 arising from the use of a
7 motor vehicle;

8 11. Violation of Section 11-204.1 of this Code relating
9 to aggravated fleeing or attempting to elude a peace
10 officer;

11 12. Violation of paragraph (1) of subsection (b) of
12 Section 6-507, or a similar law of any other state,
13 relating to the unlawful operation of a commercial motor
14 vehicle;

15 13. Violation of paragraph (a) of Section 11-502 of
16 this Code or a similar provision of a local ordinance if
17 the driver has been previously convicted of a violation of
18 that Section or a similar provision of a local ordinance
19 and the driver was less than 21 years of age at the time of
20 the offense;

21 14. Violation of paragraph (a) of Section 11-506 of
22 this Code or a similar provision of a local ordinance
23 relating to the offense of street racing;

24 15. A second or subsequent conviction of driving while
25 the person's driver's license, permit or privileges was
26 revoked for reckless homicide or a similar out-of-state

1 offense;

2 16. Any offense against any provision in this Code, or
3 any local ordinance, regulating the movement of traffic
4 when that offense was the proximate cause of the death of
5 any person. Any person whose driving privileges have been
6 revoked pursuant to this paragraph may seek to have the
7 revocation terminated or to have the length of revocation
8 reduced by requesting an administrative hearing with the
9 Secretary of State prior to the projected driver's license
10 application eligibility date;

11 17. Violation of subsection (a-2) of Section 11-1301.3
12 of this Code or a similar provision of a local ordinance;

13 18. A second or subsequent conviction of illegal
14 possession, while operating or in actual physical control,
15 as a driver, of a motor vehicle, of any controlled
16 substance prohibited under the Illinois Controlled
17 Substances Act, any cannabis prohibited under the Cannabis
18 Control Act, or any methamphetamine prohibited under the
19 Methamphetamine Control and Community Protection Act. A
20 defendant found guilty of this offense while operating a
21 motor vehicle shall have an entry made in the court record
22 by the presiding judge that this offense did occur while
23 the defendant was operating a motor vehicle and order the
24 clerk of the court to report the violation to the Secretary
25 of State;~~;~~

26 19. Conviction of an offense under subsection (a-5) of

1 Section 3-707 of this Code relating to the operation of an
2 uninsured motor vehicle causing bodily harm or death to
3 another person. A second or subsequent conviction of an
4 offense under subsection (a-5) of Section 3-707 of this
5 Code shall result in a lifetime revocation of driving
6 privileges.

7 (b) The Secretary of State shall also immediately revoke
8 the license or permit of any driver in the following
9 situations:

10 1. Of any minor upon receiving the notice provided for
11 in Section 5-901 of the Juvenile Court Act of 1987 that the
12 minor has been adjudicated under that Act as having
13 committed an offense relating to motor vehicles prescribed
14 in Section 4-103 of this Code;

15 2. Of any person when any other law of this State
16 requires either the revocation or suspension of a license
17 or permit;

18 3. Of any person adjudicated under the Juvenile Court
19 Act of 1987 based on an offense determined to have been
20 committed in furtherance of the criminal activities of an
21 organized gang as provided in Section 5-710 of that Act,
22 and that involved the operation or use of a motor vehicle
23 or the use of a driver's license or permit. The revocation
24 shall remain in effect for the period determined by the
25 court.

26 (c)(1) Whenever a person is convicted of any of the

1 offenses enumerated in this Section, the court may recommend
2 and the Secretary of State in his discretion, without regard to
3 whether the recommendation is made by the court may, upon
4 application, issue to the person a restricted driving permit
5 granting the privilege of driving a motor vehicle between the
6 petitioner's residence and petitioner's place of employment or
7 within the scope of the petitioner's employment related duties,
8 or to allow the petitioner to transport himself or herself or a
9 family member of the petitioner's household to a medical
10 facility for the receipt of necessary medical care or to allow
11 the petitioner to transport himself or herself to and from
12 alcohol or drug remedial or rehabilitative activity
13 recommended by a licensed service provider, or to allow the
14 petitioner to transport himself or herself or a family member
15 of the petitioner's household to classes, as a student, at an
16 accredited educational institution, or to allow the petitioner
17 to transport children, elderly persons, or persons with
18 disabilities who do not hold driving privileges and are living
19 in the petitioner's household to and from daycare; if the
20 petitioner is able to demonstrate that no alternative means of
21 transportation is reasonably available and that the petitioner
22 will not endanger the public safety or welfare; provided that
23 the Secretary's discretion shall be limited to cases where
24 undue hardship, as defined by the rules of the Secretary of
25 State, would result from a failure to issue the restricted
26 driving permit.

1 (1.5) A person subject to the provisions of paragraph 4
2 of subsection (b) of Section 6-208 of this Code may make
3 application for a restricted driving permit at a hearing
4 conducted under Section 2-118 of this Code after the
5 expiration of 5 years from the effective date of the most
6 recent revocation, or after 5 years from the date of
7 release from a period of imprisonment resulting from a
8 conviction of the most recent offense, whichever is later,
9 provided the person, in addition to all other requirements
10 of the Secretary, shows by clear and convincing evidence:

11 (A) a minimum of 3 years of uninterrupted
12 abstinence from alcohol and the unlawful use or
13 consumption of cannabis under the Cannabis Control
14 Act, a controlled substance under the Illinois
15 Controlled Substances Act, an intoxicating compound
16 under the Use of Intoxicating Compounds Act, or
17 methamphetamine under the Methamphetamine Control and
18 Community Protection Act; and

19 (B) the successful completion of any
20 rehabilitative treatment and involvement in any
21 ongoing rehabilitative activity that may be
22 recommended by a properly licensed service provider
23 according to an assessment of the person's alcohol or
24 drug use under Section 11-501.01 of this Code.

25 In determining whether an applicant is eligible for a
26 restricted driving permit under this paragraph (1.5), the

1 Secretary may consider any relevant evidence, including,
2 but not limited to, testimony, affidavits, records, and the
3 results of regular alcohol or drug tests. Persons subject
4 to the provisions of paragraph 4 of subsection (b) of
5 Section 6-208 of this Code and who have been convicted of
6 more than one violation of paragraph (3), paragraph (4), or
7 paragraph (5) of subsection (a) of Section 11-501 of this
8 Code shall not be eligible to apply for a restricted
9 driving permit.

10 A restricted driving permit issued under this
11 paragraph (1.5) shall provide that the holder may only
12 operate motor vehicles equipped with an ignition interlock
13 device as required under paragraph (2) of subsection (c) of
14 this Section and subparagraph (A) of paragraph 3 of
15 subsection (c) of Section 6-206 of this Code. The Secretary
16 may revoke a restricted driving permit or amend the
17 conditions of a restricted driving permit issued under this
18 paragraph (1.5) if the holder operates a vehicle that is
19 not equipped with an ignition interlock device, or for any
20 other reason authorized under this Code.

21 A restricted driving permit issued under this
22 paragraph (1.5) shall be revoked, and the holder barred
23 from applying for or being issued a restricted driving
24 permit in the future, if the holder is subsequently
25 convicted of a violation of Section 11-501 of this Code, a
26 similar provision of a local ordinance, or a similar

1 offense in another state.

2 (2) If a person's license or permit is revoked or
3 suspended due to 2 or more convictions of violating Section
4 11-501 of this Code or a similar provision of a local
5 ordinance or a similar out-of-state offense, or Section 9-3
6 of the Criminal Code of 1961 or the Criminal Code of 2012,
7 where the use of alcohol or other drugs is recited as an
8 element of the offense, or a similar out-of-state offense,
9 or a combination of these offenses, arising out of separate
10 occurrences, that person, if issued a restricted driving
11 permit, may not operate a vehicle unless it has been
12 equipped with an ignition interlock device as defined in
13 Section 1-129.1.

14 (3) If:

15 (A) a person's license or permit is revoked or
16 suspended 2 or more times due to any combination of:

17 (i) a single conviction of violating Section
18 11-501 of this Code or a similar provision of a
19 local ordinance or a similar out-of-state offense,
20 or Section 9-3 of the Criminal Code of 1961 or the
21 Criminal Code of 2012, where the use of alcohol or
22 other drugs is recited as an element of the
23 offense, or a similar out-of-state offense; or

24 (ii) a statutory summary suspension or
25 revocation under Section 11-501.1; or

26 (iii) a suspension pursuant to Section

1 6-203.1;

2 arising out of separate occurrences; or

3 (B) a person has been convicted of one violation of
4 subparagraph (C) or (F) of paragraph (1) of subsection
5 (d) of Section 11-501 of this Code, Section 9-3 of the
6 Criminal Code of 1961 or the Criminal Code of 2012,
7 relating to the offense of reckless homicide where the
8 use of alcohol or other drugs was recited as an element
9 of the offense, or a similar provision of a law of
10 another state;

11 that person, if issued a restricted driving permit, may not
12 operate a vehicle unless it has been equipped with an
13 ignition interlock device as defined in Section 1-129.1.

14 (4) The person issued a permit conditioned on the use
15 of an ignition interlock device must pay to the Secretary
16 of State DUI Administration Fund an amount not to exceed
17 \$30 per month. The Secretary shall establish by rule the
18 amount and the procedures, terms, and conditions relating
19 to these fees.

20 (5) If the restricted driving permit is issued for
21 employment purposes, then the prohibition against
22 operating a motor vehicle that is not equipped with an
23 ignition interlock device does not apply to the operation
24 of an occupational vehicle owned or leased by that person's
25 employer when used solely for employment purposes. For any
26 person who, within a 5-year period, is convicted of a

1 second or subsequent offense under Section 11-501 of this
2 Code, or a similar provision of a local ordinance or
3 similar out-of-state offense, this employment exemption
4 does not apply until either a one-year ~~one-year~~ period has
5 elapsed during which that person had his or her driving
6 privileges revoked or a one-year ~~one-year~~ period has
7 elapsed during which that person had a restricted driving
8 permit which required the use of an ignition interlock
9 device on every motor vehicle owned or operated by that
10 person.

11 (6) In each case the Secretary of State may issue a
12 restricted driving permit for a period he deems
13 appropriate, except that the permit shall expire within one
14 year from the date of issuance. A restricted driving permit
15 issued under this Section shall be subject to cancellation,
16 revocation, and suspension by the Secretary of State in
17 like manner and for like cause as a driver's license issued
18 under this Code may be cancelled, revoked, or suspended;
19 except that a conviction upon one or more offenses against
20 laws or ordinances regulating the movement of traffic shall
21 be deemed sufficient cause for the revocation, suspension,
22 or cancellation of a restricted driving permit. The
23 Secretary of State may, as a condition to the issuance of a
24 restricted driving permit, require the petitioner to
25 participate in a designated driver remedial or
26 rehabilitative program. The Secretary of State is

1 authorized to cancel a restricted driving permit if the
2 permit holder does not successfully complete the program.
3 However, if an individual's driving privileges have been
4 revoked in accordance with paragraph 13 of subsection (a)
5 of this Section, no restricted driving permit shall be
6 issued until the individual has served 6 months of the
7 revocation period.

8 (c-5) (Blank).

9 (c-6) If a person is convicted of a second violation of
10 operating a motor vehicle while the person's driver's license,
11 permit or privilege was revoked, where the revocation was for a
12 violation of Section 9-3 of the Criminal Code of 1961 or the
13 Criminal Code of 2012 relating to the offense of reckless
14 homicide or a similar out-of-state offense, the person's
15 driving privileges shall be revoked pursuant to subdivision
16 (a) (15) of this Section. The person may not make application
17 for a license or permit until the expiration of five years from
18 the effective date of the revocation or the expiration of five
19 years from the date of release from a term of imprisonment,
20 whichever is later.

21 (c-7) If a person is convicted of a third or subsequent
22 violation of operating a motor vehicle while the person's
23 driver's license, permit or privilege was revoked, where the
24 revocation was for a violation of Section 9-3 of the Criminal
25 Code of 1961 or the Criminal Code of 2012 relating to the
26 offense of reckless homicide or a similar out-of-state offense,

1 the person may never apply for a license or permit.

2 (d) (1) Whenever a person under the age of 21 is convicted
3 under Section 11-501 of this Code or a similar provision of a
4 local ordinance or a similar out-of-state offense, the
5 Secretary of State shall revoke the driving privileges of that
6 person. One year after the date of revocation, and upon
7 application, the Secretary of State may, if satisfied that the
8 person applying will not endanger the public safety or welfare,
9 issue a restricted driving permit granting the privilege of
10 driving a motor vehicle only between the hours of 5 a.m. and 9
11 p.m. or as otherwise provided by this Section for a period of
12 one year. After this one-year ~~one-year~~ period, and upon
13 reapplication for a license as provided in Section 6-106, upon
14 payment of the appropriate reinstatement fee provided under
15 paragraph (b) of Section 6-118, the Secretary of State, in his
16 discretion, may reinstate the petitioner's driver's license
17 and driving privileges, or extend the restricted driving permit
18 as many times as the Secretary of State deems appropriate, by
19 additional periods of not more than 12 months each.

20 (2) If a person's license or permit is revoked or
21 suspended due to 2 or more convictions of violating Section
22 11-501 of this Code or a similar provision of a local
23 ordinance or a similar out-of-state offense, or Section 9-3
24 of the Criminal Code of 1961 or the Criminal Code of 2012,
25 where the use of alcohol or other drugs is recited as an
26 element of the offense, or a similar out-of-state offense,

1 or a combination of these offenses, arising out of separate
2 occurrences, that person, if issued a restricted driving
3 permit, may not operate a vehicle unless it has been
4 equipped with an ignition interlock device as defined in
5 Section 1-129.1.

6 (3) If a person's license or permit is revoked or
7 suspended 2 or more times due to any combination of:

8 (A) a single conviction of violating Section
9 11-501 of this Code or a similar provision of a local
10 ordinance or a similar out-of-state offense, or
11 Section 9-3 of the Criminal Code of 1961 or the
12 Criminal Code of 2012, where the use of alcohol or
13 other drugs is recited as an element of the offense, or
14 a similar out-of-state offense; or

15 (B) a statutory summary suspension or revocation
16 under Section 11-501.1; or

17 (C) a suspension pursuant to Section 6-203.1;

18 arising out of separate occurrences, that person, if issued
19 a restricted driving permit, may not operate a vehicle
20 unless it has been equipped with an ignition interlock
21 device as defined in Section 1-129.1.

22 (3.5) If a person's license or permit is revoked or
23 suspended due to a conviction for a violation of
24 subparagraph (C) or (F) of paragraph (1) of subsection (d)
25 of Section 11-501 of this Code, or a similar provision of a
26 local ordinance or similar out-of-state offense, that

1 person, if issued a restricted driving permit, may not
2 operate a vehicle unless it has been equipped with an
3 ignition interlock device as defined in Section 1-129.1.

4 (4) The person issued a permit conditioned upon the use
5 of an interlock device must pay to the Secretary of State
6 DUI Administration Fund an amount not to exceed \$30 per
7 month. The Secretary shall establish by rule the amount and
8 the procedures, terms, and conditions relating to these
9 fees.

10 (5) If the restricted driving permit is issued for
11 employment purposes, then the prohibition against driving
12 a vehicle that is not equipped with an ignition interlock
13 device does not apply to the operation of an occupational
14 vehicle owned or leased by that person's employer when used
15 solely for employment purposes. For any person who, within
16 a 5-year period, is convicted of a second or subsequent
17 offense under Section 11-501 of this Code, or a similar
18 provision of a local ordinance or similar out-of-state
19 offense, this employment exemption does not apply until
20 either a one-year ~~one-year~~ period has elapsed during which
21 that person had his or her driving privileges revoked or a
22 one-year ~~one-year~~ period has elapsed during which that
23 person had a restricted driving permit which required the
24 use of an ignition interlock device on every motor vehicle
25 owned or operated by that person.

26 (6) A restricted driving permit issued under this

1 Section shall be subject to cancellation, revocation, and
2 suspension by the Secretary of State in like manner and for
3 like cause as a driver's license issued under this Code may
4 be cancelled, revoked, or suspended; except that a
5 conviction upon one or more offenses against laws or
6 ordinances regulating the movement of traffic shall be
7 deemed sufficient cause for the revocation, suspension, or
8 cancellation of a restricted driving permit.

9 (d-5) The revocation of the license, permit, or driving
10 privileges of a person convicted of a third or subsequent
11 violation of Section 6-303 of this Code committed while his or
12 her driver's license, permit, or privilege was revoked because
13 of a violation of Section 9-3 of the Criminal Code of 1961 or
14 the Criminal Code of 2012, relating to the offense of reckless
15 homicide, or a similar provision of a law of another state, is
16 permanent. The Secretary may not, at any time, issue a license
17 or permit to that person.

18 (e) This Section is subject to the provisions of the Driver
19 License Compact.

20 (f) Any revocation imposed upon any person under
21 subsections 2 and 3 of paragraph (b) that is in effect on
22 December 31, 1988 shall be converted to a suspension for a like
23 period of time.

24 (g) The Secretary of State shall not issue a restricted
25 driving permit to a person under the age of 16 years whose
26 driving privileges have been revoked under any provisions of

1 this Code.

2 (h) The Secretary of State shall require the use of
3 ignition interlock devices for a period not less than 5 years
4 on all vehicles owned by a person who has been convicted of a
5 second or subsequent offense under Section 11-501 of this Code
6 or a similar provision of a local ordinance. The person must
7 pay to the Secretary of State DUI Administration Fund an amount
8 not to exceed \$30 for each month that he or she uses the
9 device. The Secretary shall establish by rule and regulation
10 the procedures for certification and use of the interlock
11 system, the amount of the fee, and the procedures, terms, and
12 conditions relating to these fees. During the time period in
13 which a person is required to install an ignition interlock
14 device under this subsection (h), that person shall only
15 operate vehicles in which ignition interlock devices have been
16 installed, except as allowed by subdivision (c) (5) or (d) (5) of
17 this Section.

18 (i) (Blank).

19 (j) In accordance with 49 C.F.R. 384, the Secretary of
20 State may not issue a restricted driving permit for the
21 operation of a commercial motor vehicle to a person holding a
22 CDL whose driving privileges have been revoked, suspended,
23 cancelled, or disqualified under any provisions of this Code.

24 (k) The Secretary of State shall notify by mail any person
25 whose driving privileges have been revoked under paragraph 16
26 of subsection (a) of this Section that his or her driving

1 privileges and driver's license will be revoked 90 days from
2 the date of the mailing of the notice.

3 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
4 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
5 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; revised 11-2-15.)

6 (625 ILCS 5/7-606) (from Ch. 95 1/2, par. 7-606)

7 Sec. 7-606. Uninsured motor vehicles - suspension and
8 reinstatement. The Secretary shall suspend the vehicle
9 registration of any motor vehicle determined by the Secretary
10 to be in violation of Section 7-601 of this Code, including any
11 motor vehicle operated in violation of Section 3-707, 3-708 or
12 3-710 of this Code by an operator other than the owner of the
13 vehicle. Neither the fact that, subsequent to the date of
14 verification or conviction, the owner acquired the required
15 liability insurance policy nor the fact that the owner
16 terminated ownership of the motor vehicle shall have any
17 bearing upon the Secretary's decision to suspend.

18 The Secretary is authorized to suspend the registration of
19 any motor vehicle registered in this State upon receiving
20 notice of the conviction of the operator of the motor vehicle
21 in another State of an offense which, if committed in this
22 State, would constitute a violation of Section 7-601 of this
23 Code.

24 Until it is terminated, the suspension shall remain in
25 force after the registration is renewed or a new registration

1 is acquired for the motor vehicle. The suspension also shall
2 apply to any motor vehicle to which the owner transfers the
3 registration.

4 In the case of a first violation, the Secretary shall
5 terminate the suspension upon payment by the owner of a
6 reinstatement fee of \$150 ~~\$100~~ and submission of proof of
7 insurance as prescribed by the Secretary.

8 In the case of a second or subsequent violation by a person
9 having ownership interest in a motor vehicle or vehicles within
10 the preceding 4 years, or a violation of Section 3-708 of this
11 Code, the Secretary shall terminate the suspension 4 months
12 after its effective date upon payment by the owner of a
13 reinstatement fee of \$150 ~~\$100~~ and submission of proof of
14 insurance as prescribed by the Secretary.

15 All fees collected under this Section shall be disbursed
16 under subsection (g) of Section 2-119 of this Code.

17 (Source: P.A. 99-127, eff. 1-1-16.)